



Patent application 10/822,505



IFW  
Docket No. 24061.226 / 2003-1180  
Customer No. 42717

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Han-Ping Chen, et al.	§	Docket No.:	24061.226 / 2003-1180
Serial No.:	10/822,505	§	Examiner:	Matthew C. Landau
Filed:	April 12, 2004	§	Art Unit:	2815
For:	Method of Forming Self-Aligned Poly for Embedded Flash	§	Conf. No.:	3049
		§		
		§		

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Mail Stop: Amendment  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The present paper is being submitted in response to the Restriction Requirement Office Action dated June 6, 2005 in the above-identified application.

**Election of Claims** begins on page 2 of this paper.

**Amendments to the Claims** are reflected in the Listing of Claims which begins on page 3 of this paper.

**Remarks** begin on page 10 of this paper.

**I. Election**

In the Office Action mailed June 6, 2005, the Examiner alleges that the application contains claims directed to two inventions and, thus, required restriction of either:

Claims 1-39 (Group I), drawn to a method of making a semiconductor device; or

Claims 40-48 (Group II), drawn to a semiconductor device.

In response, Applicants hereby elect Group I, corresponding to claims 1-39. Applicants' election is made with traverse on the grounds that the embodiments delineated by the Examiner are not patentably distinct and therefore constitute a single invention concept.